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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/552,992	10/13/2005	Emanuele De Santis	09952.0004	5834
22852	7590	11/26/2007		
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			EXAMINER NGUYEN, DAVID Q	
			ART UNIT 2617	PAPER NUMBER
			MAIL DATE 11/26/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/552,992

Applicant(s)

DE SANTIS ET AL.

Examiner

David Q. Nguyen

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 8-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Satt et al. (WO 02/052869 A2).

Regarding claim 8, Satt et al. discloses a method for dimensioning a cell of a mobile telecommunications network suitable for managing data calls associated to data terminals having different terminal capabilities, the cell comprising a plurality of status, comprising: limiting the number of said plurality of status associated to said cell accessed by a plurality of different traffic streams associated to said data terminals (see page 2, line 10 to page 3, line 11; page 5, line 14 to page 7, line 25; page 16, line 22 to page 17, line 24; page 22, line 10 to page 23, line 12; abstract; figs. 11,14-16); determining medium death frequencies of a single cell status by considering determined sequences of users accessing the cell and having a different repartition of frequency of death terminals (see page 2, line 10 to page 3, line 11; page 5, line 14 to page 7, line 25; page 16, line 22 to page 17, line 24; page 22, line 10 to page 23, line 12; abstract; figs. 11,14-16); determining a global set of cell status probabilities of said cell on the basis of data call arrival frequencies and of the medium death frequencies of data calls terminals (see page

2, line 10 to page 3, line 11; page 5, line 14 to page 7, line 25; page 16, line 22 to page 17, line 24; page 22, line 10 to page 23, line 12; abstract; figs. 11,14-16); and dimensioning said cell on the basis of said global set terminals (see page 2, line 10 to page 3, line 11; page 5, line 14 to page 7, line 25; page 16, line 22 to page 17, line 24; page 22, line 10 to page 23, line 12; abstract; figs. 11,14-16).

Regarding claims 9-13, Satt et al. also disclose wherein the step of limiting the number of said plurality of status comprises the step of separately analysing each traffic stream of said plurality of traffic streams offered by said data terminals (see page 2, line 10 to page 3, line 11; page 5, line 14 to page 7, line 25; page 16, line 22 to page 17, line 24; page 22, line 10 to page 23, line 12; abstract; figs. 11,14-16); wherein each of said determined sequences has associated a set of sequences having the same repartition of the frequency of the death (see page 2, line 10 to page 3, line 11; page 5, line 14 to page 7, line 25; page 16, line 22 to page 17, line 24; page 22, line 10 to page 23, line 12; abstract; figs. 11,14-16); wherein the network is a TDMA or TDMA/FDMA type network (see page 2, line 10 to page 3, line 11; page 5, line 14 to page 7, line 25; page 16, line 22 to page 17, line 24; page 22, line 10 to page 23, line 12; abstract; figs. 11,14-16); wherein the network is a GPRS type network terminals (see page 2, line 10 to page 3, line 11; page 5, line 14 to page 7, line 25; page 16, line 22 to page 17, line 24; page 22, line 10 to page 23, line 12; abstract; figs. 11,14-16).

Regarding claim 13, Satt et al. also disclose a cell of a mobile telecommunications network suitable for managing calls of different type data terminals, dimensioned by the method of any one of claims 8 to 12 (see explanation in claim 8).


Regarding claim 14, Satt et al. also disclose a computer program product directly loadable in the internal memory of at least a computer and including software code portions capable of performing the method of any one of claims 8 to 12, when said product is capable of being run on at least a computer (see explanation in claim 8).

Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Q. Nguyen whose telephone number is 571-272-7844. The examiner can normally be reached on 8:30AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOSEPH H. FEILD can be reached on (571)272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


David Q Nguyen
Examiner